

SECTION 7  
PLAN IMPLEMENTATION  
GROUNDWATER MANAGEMENT PLAN  
DEER CREEK AND TULE RIVER AUTHORITY

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GENERAL

The Deer Creek and Tule River Authority's (Authority) Groundwater Management Plan (Plan) documents will be maintained at the office of the Lower Tule River Irrigation District. The office will act as the Plan's resource center and data clearinghouse. Monitoring Data and information gathered during Plan implementation will be compiled and stored at the office. The Authority will lead Plan activity, report preparation and information dissemination efforts.

PLAN PARTICIPATION

The Plan officially recognizes stakeholders through the execution of a Memorandum of Understanding (MOU). The original stakeholders comprising the Authority executed a MOU to indicate their support of the original Plan. A copy of this MOU is presented in Appendix B. The purpose of the MOU is to document the interests and responsibilities of participants in the adoption and implementation of the Plan. The MOU also promotes the sharing of information, the developing of a course of action and the resolving of differences that may arise regarding the Plan. It is anticipated that stakeholder involvement will increase with time. The Authority will continue to pursue new stakeholder involvement and shall endeavor to enter into agreements with other local agencies. The form of agreement shall be consistent with the existing MOU and shall also be in compliance with California Water Code §10750.8.

## DISPUTE RESOLUTION

The Plan acknowledges that controversial issues could arise concerning the groundwater resource. Stakeholders are encouraged to work through the Plan in addressing and resolving differences. When this process proves insufficient, the Authority has a policy in place that can be applied by the Plan. The Plan hereby adopts the Authority's "Alternative Dispute Resolution Policy." Appendix C of the Plan includes the most current version of the policy.

## ANNUAL REPORT

Documentation in the form of an annual report will be prepared as required to record the results of the management activities monitoring elements of the Plan. The contents of the annual report will include:

1. Maps and/or tables showing:
  - a. Spring and fall groundwater elevations;
  - b. Changes in the monitor well network;
  - c. Changes in groundwater levels between subsequent spring readings; and
  - d. Groundwater quality;
2. Estimation of the changes in groundwater storage computed using specific yield data and maps of change in groundwater levels;
3. Summary of water resource data; and
4. Assessment of the effectiveness of management activities.

## PLAN EVALUATION

The Plan will be re-evaluated annually subsequent to the findings of the Plan's annual report. The Authority's Plan Advisory Committee will be responsible for monitoring the Plan's activities and progress towards its management objectives.

The re-evaluation of the Plan will include an assessment of the effectiveness of Plan activities and a determination of potential modification(s) to the Plan.

## ADDITIONAL REPORTS

Additional reports and technical memoranda may be produced as a result of Plan activity, grant funding requirements or other need for documentation. The content of any supplemental documents will address the informational requirements.

## SCHEDULE

Implementation of the Authority's Plan will be structured according to the schedule presented in Table 7-1.

TABLE 7-1  
IMPLEMENTATION SCHEDULE  
GROUNDWATER MANAGEMENT PLAN  
DEER CREEK AND TULE RIVER AUTHORITY

PLAN ACTIVITY	OCCURRENCE
Plan Management Strategies and Activities	Monthly (As Required)
Advisory Committee	Bi-monthly
Authority General Meeting	Bi-monthly
Plan Report	Annually
Plan Re-evaluation	Annually
Groundwater Monitoring	Semi-Annually (Additional As Required)

#### PLAN FUNDING

Implementing the Plan will require dedicated funding through the Authority and the Plan Participants. In general, funding for the Plan and its activities will be derived from grants, in-lieu contributions, cost-sharing agreements and/or assessments.

#### Grants

The Authority will pursue opportunities to fund Plan activities through grants offered by DWR and other agencies. Member Districts may be asked to support grant applications on the Authority's behalf.

#### Cost-Sharing Agreements

Costs for annual groundwater reports, Plan updates and other reporting efforts will be distributed and collected according to any cost-sharing agreements for Authority project activities.

Additional cost-sharing agreements may be developed as necessary to fund other projects considered during the implementation of the Plan.

#### In-lieu Contributions

Some Plan activities, such as groundwater monitoring will be funded through the Districts' own operations.

#### Assessments

Upon adoption of this Plan, the Authority is authorized to levy and collect general groundwater replenishment assessments, as well as water extraction fees based on the amount of groundwater extracted from the aquifer within the Plan Area. Any assessment or fees proposed to be collected by the Authority under this Plan for the purpose of groundwater management must be approved by an area-wide election as provided in the implementing statutory provisions related to AB 3030.

APPENDIX A  
PLAN PARTICIPANTS AND BASIN  
STAKEHOLDERS  
GROUNDWATER MANAGEMENT PLAN  
DEER CREEK AND TULE RIVER AUTHORITY

TABLE A-1  
PLAN PARTICIPANTS  
GROUNDWATER MANAGEMENT PLAN  
DEER CREEK AND TULE RIVER AUTHORITY

PARTICIPANT
Lower Tule River Irrigation District
Pixley Irrigation District
Porterville Irrigation District
Saucelito Irrigation District
Tea Pot Dome Water District
Terra Bella Irrigation District
Vandalia Irrigation District

TABLE A-2  
BASIN STAKEHOLDERS  
GROUNDWATER MANAGEMENT PLAN  
DEER CREEK AND TULE RIVER AUTHORITY

STAKEHOLDER	INTEREST
Lower Tule River Irrigation District	District Landowners
Pixley Irrigation District	District Landowners
Porterville Irrigation District	District Landowners
Saucelito Irrigation District	District Landowners
Tea Pot Dome Water District	District Landowners
Terra Bella Irrigation District	District Landowners
Vandalia Irrigation District	District Landowners
Tipton Community Services District	Domestic Water Supply/Use
Poplar Community Services District	Domestic Water Supply/Use
Woodville Public Utility District	Domestic Water Supply/Use
Terra Bella Irrigation District	Domestic Water Supply/Use
Pixley Community Services District	Domestic Water Supply/Use
Teviston Community Services District	Domestic Water Supply/Use
Pixley Wildlife Refuge	Wildlife
Bureau of Reclamation	Surface Water Supplies
Friant Water Authority	Surface Water Supplies
National Resources Conservation Service	Natural Resources
Audubon Society	Wildlife/Monitoring
Tulare County	Land Use/Planning
City of Porterville	Domestic Water Supply/Use

## **APPENDIX B**

### **STATUTORY AUTHORITY**

Assembly Bill 3030 (*June 28, 2002*)

Senate Bill 1938 (*September 16, 2002*)

California Water Code Section 10750

Department of Water Resources, Bulletin 118, Appendix C

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## Senate Bill No. 1938

### CHAPTER 603

An act to amend Sections 10753.4 and 10795.4 of, to amend and renumber Sections 10753.7, 10753.8, and 10753.9 of, and to add Sections 10753.1 and 10753.7 to, the Water Code, relating to water.

[Approved by Governor September 15, 2002. Filed  
with Secretary of State September 16, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1938, Machado. Groundwater management: state funding.

Existing law authorizes a local agency to prepare and implement a groundwater management plan. Existing law establishes the Local Groundwater Assistance Fund and provides that, upon appropriation by the Legislature, money in the fund may be used by the Department of Water Resources to assist local public agencies by awarding grants to those agencies to conduct groundwater studies or to carry out groundwater monitoring and management activities.

This bill would require a local agency that elects to develop a groundwater management plan to make available to the public a written statement describing the manner in which interested parties would be allowed to participate in the development of that plan. The bill would require a local agency, for the purposes of qualifying as a groundwater management plan under certain provisions of law, or, with certain exceptions, for the purposes of receiving state funds administered by the department for the construction of groundwater projects or groundwater quality projects, to prepare and implement a plan that includes certain basin management objectives and components, and to adopt certain monitoring protocols. The bill would require the local agency to submit a copy of the plan to the department, in an electronic format, if practicable, approved by the department, and the department would be required to make copies available to the public. The bill would provide, that upon appropriation by the Legislature, money in the Local Groundwater Assistance Fund may be used by the department to assist local public agencies in the development of groundwater management plans.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares the following:

(a) Groundwater constitutes a major source of water for use by the state's citizens in many urban and rural areas. It is in the interest of those citizens, and of benefit to California's economy, that groundwater resources be protected and managed to optimize the available water supply.

(b) Protection and management include, but are not limited to, protection of recharge areas and source areas from contamination, protection of groundwater quality, artificial recharge, planned variation of pumping, and conjunctive management of both surface water and groundwater to optimize supplies.

(c) Groundwater is a crucial component of California's water supply and provides about 30 percent of California's agricultural and urban demand in an average year, and 40 percent or more in dry years.

(d) California has 515 groundwater basins and subbasins, many of which are the sole source of water supply for irrigation and drinking water and significant number of groundwater basins have been impaired by pollution or are threatened with impairment.

(e) A significant number of the state's groundwater basins are poorly understood, making proper management difficult.

(f) The preparation of groundwater management plans enables local agencies to address issues related to groundwater recharge and storage, which are crucial components for effective management of California's water supply.

(g) It is the intent of the Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions. The preparation of certain basin management objectives will assist local agencies in optimizing local resources while protecting groundwater and surface water resources. The preparation of basin management objectives also will facilitate an understanding of the basin or subbasin, thereby allowing local agencies, individually and cooperatively, to meet local, regional, and state water needs through conjunctive management, while ensuring that no particular water supply is jeopardized.

SEC. 2. Section 10753.1 is added to the Water Code, to read:

10753.1. Nothing in this part, or in any groundwater management plan adopted pursuant to this part, affects surface water rights or the procedures under common law or local groundwater authority, or any provision of law other than this part that determines or grants surface water rights.

SEC. 3. Section 10753.4 of the Water Code is amended to read:

10753.4. (a) The local agency shall prepare a groundwater management plan within two years of the date of the adoption of the resolution of intention. If the plan is not adopted within two years, the



resolution of intention expires, and no plan may be adopted except pursuant to a new resolution of intention adopted in accordance with this chapter.

(b) For the purposes of carrying out this part, the local agency shall make available to the public a written statement describing the manner in which interested parties may participate in developing the groundwater management plan. The local agency may appoint, and consult with, a technical advisory committee consisting of interested parties for the purposes of carrying out this part.

SEC. 4. Section 10753.7 of the Water Code is amended and renumbered to read:

10753.8. A groundwater management plan may include components relating to all of the following:

- (a) The control of saline water intrusion.
- (b) Identification and management of wellhead protection areas and recharge areas.
- (c) Regulation of the migration of contaminated groundwater.
- (d) The administration of a well abandonment and well destruction program.
- (e) Mitigation of conditions of overdraft.
- (f) Replenishment of groundwater extracted by water producers.
- (g) Monitoring of groundwater levels and storage.
- (h) Facilitating conjunctive use operations.
- (i) Identification of well construction policies.
- (j) The construction and operation by the local agency of groundwater contamination cleanup, recharge, storage, conservation, water recycling, and extraction projects.
- (k) The development of relationships with state and federal regulatory agencies.
- (l) The review of land use plans and coordination with land use planning agencies to assess activities which create a reasonable risk of groundwater contamination.

SEC. 5. Section 10753.7 is added to the Water Code, to read:

10753.7. (a) For the purposes of qualifying as a groundwater management plan under this part, a plan shall contain the components that are set forth in this section. In addition to the requirements of a specific funding program, any local agency seeking state funds administered by the department for the construction of groundwater projects or groundwater quality projects, excluding programs that are funded under Part 2.78 (commencing with Section 10795), shall do all of the following:

- (1) Prepare and implement a groundwater management plan that includes basin management objectives for the groundwater basin that is



subject to the plan. The plan shall include components relating to the monitoring and management of groundwater levels within the groundwater basin, groundwater quality degradation, inelastic land surface subsidence, and changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin.

(2) For the purposes of carrying out paragraph (1), the local agency shall prepare a plan to involve other agencies that enables the local agency to work cooperatively with other public entities whose service area or boundary overlies the groundwater basin.

(3) For the purposes of carrying out paragraph (1), the local agency shall prepare a map that details the area of the groundwater basin, as defined in the department's Bulletin No. 118, and the area of the local agency, that will be subject to the plan, as well as the boundaries of other local agencies that overlie the basin in which the agency is developing a groundwater management plan.

(4) The local agency shall adopt monitoring protocols that are designed to detect changes in groundwater levels, groundwater quality, inelastic surface subsidence for basins for which subsidence has been identified as a potential problem, and flow and quality of surface water that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin. The monitoring protocols shall be designed to generate information that promotes efficient and effective groundwater management.

(5) Local agencies that are located in areas outside the groundwater basins delineated on the latest edition of the department's groundwater basin and subbasin map shall prepare groundwater management plans incorporating the components in this subdivision, and shall use geologic and hydrologic principles appropriate to those areas.

(b) (1) (A) A local agency may receive state funds administered by the department for the construction of groundwater projects or for other projects that directly affect groundwater levels or quality if it prepares and implements, participates in, or consents to be subject to, a groundwater management plan, a basinwide management plan, or other integrated regional water management program or plan that meets, or is in the process of meeting, the requirements of subdivision (a). A local agency with an existing groundwater management plan that meets the requirements of subdivision (a), or a local agency that completes an upgrade of its plan to meet the requirements of subdivision (a) within one year of applying for funds, shall be given priority consideration for state funds administered by the department over local agencies that are in the process of developing a groundwater management plan. The department



shall withhold funds from the project until the upgrade of the groundwater management plan is complete.

(B) Notwithstanding subparagraph (A), a local agency that manages groundwater under any other provision of existing law that meets the requirements of subdivision (a), or that completes an upgrade of its plan to meet the requirements of subdivision (a) within one year of applying for funding, shall be eligible for funding administered by the department. The department shall withhold funds from a project until the upgrade of the groundwater management plan is complete.

(C) Notwithstanding subparagraph (A), a local agency that conforms to the requirements of an adjudication of water rights in the groundwater basin is in compliance with subdivision (a). For purposes of this section, an “adjudication” includes an adjudication under Section 2101, an administrative adjudication, and an adjudication in state or federal court.

(D) Subparagraphs (A) and (B) do not apply to proposals for funding under Part 2.78 (commencing with Section 10795), or to funds authorized or appropriated prior to September 1, 2002.

(2) Upon the adoption of a groundwater management plan in accordance with this part, the local agency shall submit a copy of the plan to the department, in an electronic format, if practicable, approved by the department. The department shall make available to the public copies of the plan received pursuant to this part.

SEC. 6. Section 10753.8 of the Water Code is amended and renumbered to read:

10753.9. (a) A local agency shall adopt rules and regulations to implement and enforce a groundwater management plan adopted pursuant to this part.

(b) Nothing in this part shall be construed as authorizing the local agency to make a binding determination of the water rights of any person or entity.

(c) Nothing in this part shall be construed as authorizing the local agency to limit or suspend extractions unless the local agency has determined through study and investigation that groundwater replenishment programs or other alternative sources of water supply have proved insufficient or infeasible to lessen the demand for groundwater.

SEC. 7. Section 10753.9 of the Water Code is amended and renumbered to read:

10753.10. In adopting rules and regulations pursuant to Section 10753.9, the local agency shall consider the potential impact of those rules and regulations on business activities, including agricultural operations, and to the extent practicable and consistent with the



protection of the groundwater resources, minimize any adverse impacts on those business activities.

SEC. 8. Section 10795.4 of the Water Code is amended to read:

10795.4. Upon appropriation by the Legislature, the money in the fund may be used by the department to assist local public agencies by awarding grants to those agencies to conduct groundwater studies or to carry out groundwater monitoring and management activities in accordance with Part 2.75 (commencing with Section 10750) or other authority pursuant to which local public agencies manage groundwater resources, or both, including the development of groundwater management plans, as provided for in subdivision (a) of Section 10753.7.



# CA Water Code

Education   Representation   Water Resources   Land Use

## **CALIFORNIA WATER CODE PART 2.75. GROUNDWATER MANAGEMENT**

CHAPTER 1. GENERAL PROVISIONS

CHAPTER 2. DEFINITIONS

CHAPTER 3. GROUNDWATER MANAGEMENT PLANS

CHAPTER 4. FINANCES

CHAPTER 5. MISCELLANEOUS

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### WATER CODE SECTION 10750-10750.10

10750. The Legislature finds and declares that groundwater is a valuable natural resource in California, and should be managed to ensure both its safe production and its quality. It is the intent of the Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions.

10750.2. (a) Subject to subdivision (b), this part applies to all groundwater basins in the state. (b) This part does not apply to any portion of a groundwater basin that is subject to groundwater management by a local agency or a watermaster pursuant to other provisions of law or a court order, judgment, or decree, unless the local agency or watermaster agrees to the application of this part.

10750.4. Nothing in this part requires a local agency overlying a groundwater basin to adopt or implement a groundwater management plan or groundwater management program pursuant to this part.

10750.6. Nothing in this part affects the authority of a local agency or a watermaster to manage groundwater pursuant to other provisions of law or a court order, judgment, or decree.

10750.7. (a) A local agency may not manage groundwater pursuant to this part within the service area of another local agency, a water corporation regulated by the Public Utilities Commission, or a mutual water company without the agreement of that other entity. (b) This section applies only to groundwater basins that are not critically overdrafted.

10750.8. (a) A local agency may not manage groundwater pursuant to this part within the service area of another local agency without the agreement of that other entity. (b) This section applies only to groundwater basins that are critically overdrafted.

10750.9. (a) A local agency that commences procedures, prior to January 1, 1993, to adopt an ordinance or resolution to establish a program for the management of groundwater pursuant to Part 2.75 (commencing with Section 10750), as added by Chapter 903 of the Statutes of 1991, may proceed to adopt the ordinance or resolution pursuant to Part 2.75, and the completion of those procedures is deemed to meet the requirements of this part. (b) A local agency that has adopted an ordinance or resolution pursuant to Part 2.75 (commencing with Section 10750), as added by Chapter 903 of the Statutes of 1991, may amend its groundwater management program by ordinance or resolution of the governing body of the local agency to include any of the plan

components set forth in Section 10753.7.

10750.10. This part is in addition to, and not a limitation on, the authority granted to a local agency pursuant to other provisions of law.

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## WATER CODE SECTION 10752

10752. Unless the context otherwise requires, the following definitions govern the construction of this part: (a) "Groundwater" means all water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water, but does not include water which flows in known and definite channels. (b) "Groundwater basin" means any basin identified in the department's Bulletin No. 118, dated September 1975, and any amendments to that bulletin, but does not include a basin in which the average well yield is less than 100 gallons per minute. (c) "Groundwater extraction facility" means any device or method for the extraction of groundwater within a groundwater basin. (d) "Groundwater management plan" or "plan" means a document that describes the activities intended to be included in a groundwater management program. (e) "Groundwater management program" or "program" means a coordinated and ongoing activity undertaken for the benefit of a groundwater basin, or a portion of a groundwater basin, pursuant to a groundwater management plan adopted pursuant to this part. (f) "Groundwater recharge" means the augmentation of groundwater, by natural or artificial means, with surface water or recycled water. (g) "Local agency" means any local public agency that provides water service to all or a portion of its service area, and includes a joint powers authority formed by local public agencies that provide water service. (h) "Recharge area" means the area that supplies water to an aquifer in a groundwater basin and includes multiple wellhead protection areas. (i) "Watermaster" means a watermaster appointed by a court or pursuant to other provisions of law. (j) "Wellhead protection area" means the surface and subsurface area surrounding a water well or well field that supplies a public water system through which contaminants are reasonably likely to migrate toward the water well or well field.

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## WATER CODE SECTIONS 10753-10753.9

10753. (a) Any local agency, whose service area includes a groundwater basin, or a portion of a groundwater basin, that is not subject to groundwater management pursuant to other provisions of law or a court order, judgment, or decree, may, by ordinance, or by resolution if the local agency is not authorized to act by ordinance, adopt and implement a groundwater management plan pursuant to this part within all or a portion of its service area. (b) Notwithstanding subdivision (a), a local public agency, other than an agency defined in subdivision (g) of Section 10752, that provides flood control, groundwater management, or groundwater replenishment, or a local agency formed pursuant to this code for the principal purpose of providing water service that has not yet provided that service, may exercise the authority of this part within a groundwater basin that is located within its boundaries within areas that are either of the following: (1) Not served by a local agency. (2) Served by a local agency whose governing body, by a majority vote, declines to exercise the authority of this part and enters into an agreement with the local public agency

pursuant to Section 10750.7 or 10750.8.

10753.2. (a) Prior to adopting a resolution of intention to draft a groundwater management plan, a local agency shall hold a hearing, after publication of notice pursuant to Section 6066 of the Government Code, on whether or not to adopt a resolution of intention to draft a groundwater management plan pursuant to this part for the purposes of implementing the plan and establishing a groundwater management program. (b) At the conclusion of the hearing, the local agency may draft a resolution of intention to adopt a groundwater management plan pursuant to this part for the purposes of implementing the plan and establishing a groundwater management program.

10753.3. (a) After the conclusion of the hearing, and if the local agency adopts a resolution of intention, the local agency shall publish the resolution of intention in the same manner that notice for the hearing held under Section 10753.2 was published. (b) Upon written request, the local agency shall provide any interested person with a copy of the resolution of intention.

10753.4. The local agency shall prepare a groundwater management plan within two years of the date of the adoption of the resolution of intention. If the plan is not adopted within two years, the resolution of intention expires, and no plan may be adopted except pursuant to a new resolution of intention adopted in accordance with this chapter.

10753.5. (a) After a groundwater management plan is prepared, the local agency shall hold a second hearing to determine whether to adopt the plan. Notice of the hearing shall be given pursuant to Section 6066 of the Government Code. The notice shall include a summary of the plan and shall state that copies of the plan may be obtained for the cost of reproduction at the office of the local agency. (b) At the second hearing, the local agency shall consider protests to the adoption of the plan. At any time prior to the conclusion of the second hearing, any landowner within the local agency may file a written protest or withdraw a protest previously filed.

10753.6. (a) A written protest filed by a landowner shall include the landowner's signature and a description of the land owned sufficient to identify the land. A public agency owning land is deemed to be a landowner for the purpose of making a written protest. (b) The secretary of the local agency shall compare the names and property descriptions on the protest against the property ownership records of the county assessors. (c) (1) A majority protest shall be determined to exist if the governing board of the local agency finds that the protests filed and not withdrawn prior to the conclusion of the second hearing represent more than 50 percent of the assessed value of the land within the local agency subject to groundwater management pursuant to this part. (2) If the local agency determines that a majority protest exists, the groundwater plan may not be adopted and the local agency shall not consider adopting a plan for the area proposed to be included within the program for a period of one year after the date of the second hearing. (3) If a majority protest has not been filed, the local agency, within 35 days after the conclusion of the second hearing, may adopt the groundwater management plan.

10753.7. A groundwater management plan may include components relating to all of the following:

(a) The control of saline water intrusion. (b) Identification and management of wellhead protection areas and recharge areas. (c) Regulation of the migration of contaminated groundwater. (d) The administration of a well abandonment and well destruction program. (e) Mitigation of conditions of overdraft. (f) Replenishment of groundwater extracted by water producers. (g) Monitoring of groundwater levels and storage. (h) Facilitating conjunctive use operations. (i) Identification of well construction policies. (j) The construction and operation by the local agency of groundwater contamination cleanup, recharge, storage, conservation, water recycling, and extraction projects. (k) The development of relationships with state and federal regulatory agencies. (l) The review of land use plans and coordination with land use planning agencies to assess activities which create a reasonable risk of groundwater contamination.

10753.8. (a) A local agency shall adopt rules and regulations to implement and enforce a

groundwater management plan adopted pursuant to this part. (b) Nothing in this part shall be construed as authorizing the local agency to make a binding determination of the water rights of any person or entity. (c) Nothing in this part shall be construed as authorizing the local agency to limit or suspend extractions unless the local agency has determined through study and investigation that groundwater replenishment programs or other alternative sources of water supply have proved insufficient or infeasible to lessen the demand for groundwater.

10753.9. In adopting rules and regulations pursuant to Section 10753.8, the local agency shall consider the potential impact of those rules and regulations on business activities, including agricultural operations, and to the extent practicable and consistent with the protection of the groundwater resources, minimize any adverse impacts on those business activities.

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### WATER CODE SECTIONS 10754-10754.3

10754. For purposes of groundwater management, a local agency that adopts a groundwater management plan pursuant to this part has the authority of a water replenishment district pursuant to Part 4 (commencing with Section 60220) of Division 18 and may fix and collect fees and assessments for groundwater management in accordance with Part 6 (commencing with Section 60300) of Division 18. 10754.2. (a) Subject to Section 10754.3, except as specified in subdivision (b), a local agency that adopts a groundwater management plan pursuant to this part, may impose equitable annual fees and assessments for groundwater management based on the amount of groundwater extracted from the groundwater basin within the area included in the groundwater management plan to pay for costs incurred by the local agency for groundwater management, including, but not limited to, the costs associated with the acquisition of replenishment water, administrative and operating costs, and costs of construction of capital facilities necessary to implement the groundwater management plan. (b) The local agency may not impose fees or assessments on the extraction and replacement of groundwater pursuant to a groundwater remediation program required by other provisions of law or a groundwater storage contract with the local agency. 10754.3. Before a local agency may levy a water management assessment pursuant to Section 10754.2 or otherwise fix and collect fees for the replenishment or extraction of groundwater pursuant to this part, the local agency shall hold an election on the proposition of whether or not the local agency shall be authorized to levy a groundwater management assessment or fix and collect fees for the replenishment or extraction of groundwater. The local agency shall be so authorized if a majority of the votes cast at the election is in favor of the proposition. The election shall be conducted in the manner prescribed by the laws applicable to the local agency or, if there are no laws so applicable, then as prescribed by laws relating to local elections. The election shall be conducted only within the portion of the jurisdiction of the local agency subject to groundwater management pursuant to this part.

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### WATER CODE SECTIONS 10755-10756

10755. (a) If a local agency annexes land subject to a groundwater management plan adopted pursuant to this part, the local agency annexing the land shall comply with the groundwater

management plan for the annexed property. (b) If a local agency subject to a groundwater management plan adopted pursuant to this part annexes land not subject to a groundwater management plan adopted pursuant to this part at the time of annexation, the annexed territory shall be subject to the groundwater management plan of the local agency annexing the land.

10755.2. (a) It is the intent of the Legislature to encourage local agencies, within the same groundwater basin, that are authorized to adopt groundwater management plans pursuant to this part, to adopt and implement a coordinated groundwater management plan. (b) For the purpose of adopting and implementing a coordinated groundwater management program pursuant to this part, a local agency may enter into a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code with public agencies, or a memorandum of understanding with public or private entities providing water service. (c) A local agency may enter into agreements with public entities or private parties for the purpose of implementing a coordinated groundwater management plan.

10755.3. Local agencies within the same groundwater basin that conduct groundwater management programs within that basin pursuant to this part, and cities and counties that either manage groundwater pursuant to this part or have ordinances relating to groundwater within that basin, shall, at least annually, meet to coordinate those programs.

10755.4. Except in those groundwater basins that are subject to critical conditions of groundwater overdraft, as identified in the department's Bulletin 118-80, revised on December 24, 1982, the requirements of a groundwater management plan that is implemented pursuant to this part do not apply to the extraction of groundwater by means of a groundwater extraction facility that is used to provide water for domestic purposes to a single-unit residence and, if applicable, any dwelling unit authorized to be constructed pursuant to Section 65852.1 or 65852.2 of the Government Code.

10756. (a) On or before April 1, 1998, the department shall prepare and publish, in a bulletin of the department published pursuant to Section 130, a report on the number of agencies that have adopted and implemented groundwater management plans, or that manage groundwater, pursuant to this part or pursuant to any of the following authorities: (1) Part 2.75 (commencing with Section 10750) as added by Chapter 903 of the Statutes of 1991. (2) Other statutory authority. (3) Adjudication. (4) Local ordinance. (b) The report shall also include all of the following information: (1) The number of agencies that do not overlie a groundwater basin or that overlie a basin with groundwater that is not usable. (2) The number of agencies whose groundwater is managed by another agency. (3) The number of agencies that have expressed no interest in initiating groundwater management. (c) The report may include any of the following information, if determined by the department to be available: (1) The volume or percentage of extracted groundwater that is managed in accordance with a groundwater management plan or other authority described in subdivision (a). (2) The extent of basinwide coordination. (3) The number of interstate basins for which a groundwater management plan has been adopted. (4) Any other information determined by the department to be relevant. (d) The department shall update the report periodically, as needed.

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President's Report

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## Appendix C

### Required and Recommended Components of Local Groundwater Management Plans

Section 10750 et seq. of the Water Code, commonly referred to as Assembly Bill 3030, stipulates certain procedures that must be followed in adopting a groundwater management plan under this section.

Amendments to Section 10750 et seq. added the requirement that new groundwater management plans prepared under Section 10750 et seq. must include component 1 below (SB1938 (Stats 2002, Ch 603)).

In addition, the amendments mandate that if the agency preparing the groundwater management plan intends to apply for funding administered by the California Department of Water Resources (DWR) for groundwater or groundwater quality projects, the agency must prepare and implement a groundwater management plan that includes components 2, 3, 6, 7 and 9 below. DWR recommends that all the components below be included in any groundwater management plan to be adopted and implemented by a local managing entity.

Consideration and development of these components for the specific conditions of the basin to be managed under the plan will help to ensure effective groundwater management. In developing these criteria, DWR recognizes that the goal of a groundwater management plan and the goal of an ordinance to manage groundwater should be the same—assurance of a long-term, sustainable, reliable, good quality groundwater supply. Such efforts can benefit greatly from cooperative management within the basin or region.

None of the suggested data reporting in the components below should be construed as recommending disclosure of information that is confidential under State law.

1. Include documentation that a written statement was provided to the public “describing the manner in which interested parties may participate in developing the groundwater management plan,” which may include appointing a technical advisory committee (Water Code § 10753.4 (b)).
2. Include a plan by the managing entity to “involve other agencies that enables the local agency to work cooperatively with other public entities whose service area or boundary overlies the groundwater basin.” (Water Code § 10753.7 (a)(2)). A local agency includes “any local public agency that provides water service to all or a portion of its service area” (Water Code § 10752 (g)).
3. Provide a map showing the area of the groundwater basin, as defined by DWR Bulletin 118, with the area of the local agency subject to the plan as well as the boundaries of other local agencies that overlie the basin in which the agency is developing a groundwater management plan (Water Code § 10753.7 (a)(3)).
4. Establish an advisory committee of stakeholders (interested parties) within the plan area that will help guide the development and implementation of the plan and provide a forum for resolution of controversial issues.
5. Describe the area to be managed under the plan, including:
  - a. The physical structure and characteristics of the aquifer system underlying the plan area in the context of the overall basin.

- b. A summary of the availability of historical data including, but not limited to, the components in Section 7 below.
  - c. Issues of concern including, but not limited to, issues related to the components in Section 7 below.
  - d. A general discussion of historical and projected water demands and supplies.
6. Establish management objectives (MOs) for the groundwater basin that is subject to the plan. (Water Code § 10753.7 (a)(1)).
  7. Include components relating to the monitoring and management of groundwater levels, groundwater quality, inelastic land surface subsidence, and changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater pumping. (Water Code § 10753.7 (a)(1)). Consider additional components listed in Water Code § 10753.8 (a) through (l).
  8. For each MO, describe how meeting the MO will contribute to a more reliable supply for long-term beneficial uses of groundwater in the plan area, and describe existing or planned management actions to achieve MOs.
  9. Adopt monitoring protocols for the components in Section 7 (Water Code § 10753.7 (a)(4)). Monitoring protocols are not defined in the Water Code, but the section is interpreted to mean developing a monitoring program capable of tracking changes in conditions for the purpose of meeting MOs.
  10. Describe the monitoring program, including:
    - a. A map indicating the general locations of any applicable monitoring sites for groundwater levels, groundwater quality, subsidence stations, or stream gages.
    - b. A summary of monitoring sites indicating the type (groundwater level, groundwater quality, subsidence, stream gage) and frequency of monitoring. For groundwater level and groundwater quality wells, indicate the depth interval(s) or aquifer zone monitored and the type of well (public, irrigation, domestic, industrial, monitoring).
  11. Describe any current or planned actions by the local managing entity to coordinate with other land use, zoning, or water management planning agencies or activities (Water Code § 10753.8 (k), (l)).
  12. Provide for periodic report(s) summarizing groundwater basin conditions and groundwater management activities. The report(s), prepared annually or at other frequencies as determined by the local management agency, should include:
    - a. Summary of monitoring results, including a discussion of historical trends.
    - b. Summary of management actions during the period covered by the report.
    - c. A discussion, supported by monitoring results, of whether management actions are achieving progress in meeting MOs.
    - d. Summary of proposed management actions for the future.
    - e. Summary of any plan component changes, including addition or modification of MOs, during the period covered by the report.
    - f. Summary of actions taken to coordinate with other water management and land use agencies, and other government agencies.
  13. Provide for the periodic re-evaluation of the entire plan by the managing entity.
  14. For local agencies not overlying groundwater basins, plans should be prepared including the above listed components and using geologic and hydrologic principles appropriate to those areas (Water Code § 10753.7 (a)(5)).

# Groundwater Management

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## **Assembly Bill 3030 (AB 3030)**

Sections 10750-10756 of the California Water Code (AB 3030) provide a systematic procedure for an existing local agency to develop a groundwater management plan. This section of the code provides such an agency with the powers of a water replenishment district to raise revenue to pay for facilities to manage the basin (extraction, recharge, conveyance, quality). One hundred forty-nine agencies have adopted groundwater management plans in accordance with AB 3030. Other agencies have begun the process. In some basins, groundwater is managed under other statutory or juridical authority.

## **What is AB 3030?**

AB 3030 (California Water Code Section 10750 et seq.) allows certain defined existing local agencies to develop a groundwater management plan in groundwater basins defined in DWR Bulletin 118. No new level of government is formed. Action is voluntary not mandatory.

Twelve technical components are identified in the Code and others may be included in the groundwater management plan. The plan can be developed only after a public hearing and adoption of a resolution of intention to adopt a groundwater management plan. If there is no majority opposition of assessed land value (no improvements), the plan can be adopted within 35 days. If the majority is opposed the plan can not be adopted and no new plan may be attempted for 1 year.

AB 3030 plans can not be adopted in adjudicated basins or in basins where groundwater is managed under other sections of the Water Code without the permission of the court or the other agency.

Once the plan is adopted, rules and regulations must be adopted to implement the program called for in the plan. Many plans that have been adopted are relatively simple and in some cases are a means of defining boundaries.

SB 1245 (Water Code Section 10756) requires DWR to publish a report to the Legislature that lists all agencies that have adopted groundwater management plans pursuant to any provision of the Water Code or to case law decided in court. Thus, groundwater management plans developed under AB 3030, adjudicated basins, groundwater management districts, city/county ordinances, and the other 22 types of local agencies are included in this report.

## **Procedures for Adopting an AB 3030 Plan**

*(Citations refer to relevant sections in the California Water Code.)*

### **Procedures:**

1. *The local agency must publish notice of a public hearing. Section 10753.2 (a)*
2. *Conduct a hearing on whether to adopt a groundwater management plan. Section 10753.2 (a)*
3. *The local agency may adopt a resolution of intention to adopt a groundwater management plan. Section 10753.2 (b)*
4. *They must publish the resolution of intention. Section 10753.3*
5. *They must prepare a groundwater management plan within 2 years. Section 10753.4*
6. *If not, return to step 1. Section 10753.4*
7. *They must hold a 2d public hearing after the plan is prepared. Section 10753.5 (a)*
8. *Consider protests. Section 10753.5 (b)*
9. *A majority protest consists of more than 50% of the assessed value of the land within the agency. Section 10753.6 (c) (1)*
10. *If a majority protest exists, the plan shall not be adopted. Section 10753.6 (c) (2)*
11. *No new plan for the same area may be considered for 1 year. Section 10753.6 (c) (2)*
12. *If there is no majority protest, the groundwater management plan may be adopted within 35*

days after the 2d public hearing. Section 10753.6 (c) (3)

13. The local agency shall adopt rules and regulations for implementation and enforcement of the plan. Section 10753.8

14. They have the authority of a water replenishment district (\$60220 et seq and \$60300 et seq) to fix and assess fees and assessments for groundwater management. Section 10754

15. The local agency may impose equitable annual fees and assessments for groundwater management based on the amount of groundwater extracted to pay for costs of replenishment water, administration and operation, and capital facilities necessary to implement the groundwater management plan. Section 10754.2

16. They shall hold an election in the manner prescribed for the local agency and will be authorized to assess fees only if a majority vote is in favor. Section 10754.3

17. Local agencies in the same basin that adopt groundwater management plans must meet at least annually to coordinate. Section 10755.3

### **Technical components in AB 3030**

Water Code Section 10753.7 states that a groundwater management plan may include components relating to all of the following:

- a. The control of saline water intrusion
- b. Identification and management of wellhead protection areas and recharge areas
- c. Regulation of the migration of contaminated groundwater
- d. The administration of a well abandonment and well destruction program
- e. Mitigation of conditions of overdraft
- f. Replenishment of groundwater extracted by water producers
- g. Monitoring of groundwater levels and storage
- h. Facilitating conjunctive use operations
- i. Identification of well construction policies
- j. The construction and operation by the local agency of groundwater contamination cleanup, recharge, storage, conservation, water recycling and extraction projects
- k. The development of relationships with state and federal regulatory agencies
- l. The review of land use plans and coordination with land use planning agencies to assess activities which create a reasonable risk of groundwater contamination.

# **APPENDIX C**

## **TULARE LAKE HYDROLOGIC REGION**

DEPARTMENT OF WATER RESOURCES, BULLETIN 118

CHAPTER 7

## **Tulare Lake Hydrologic Region**

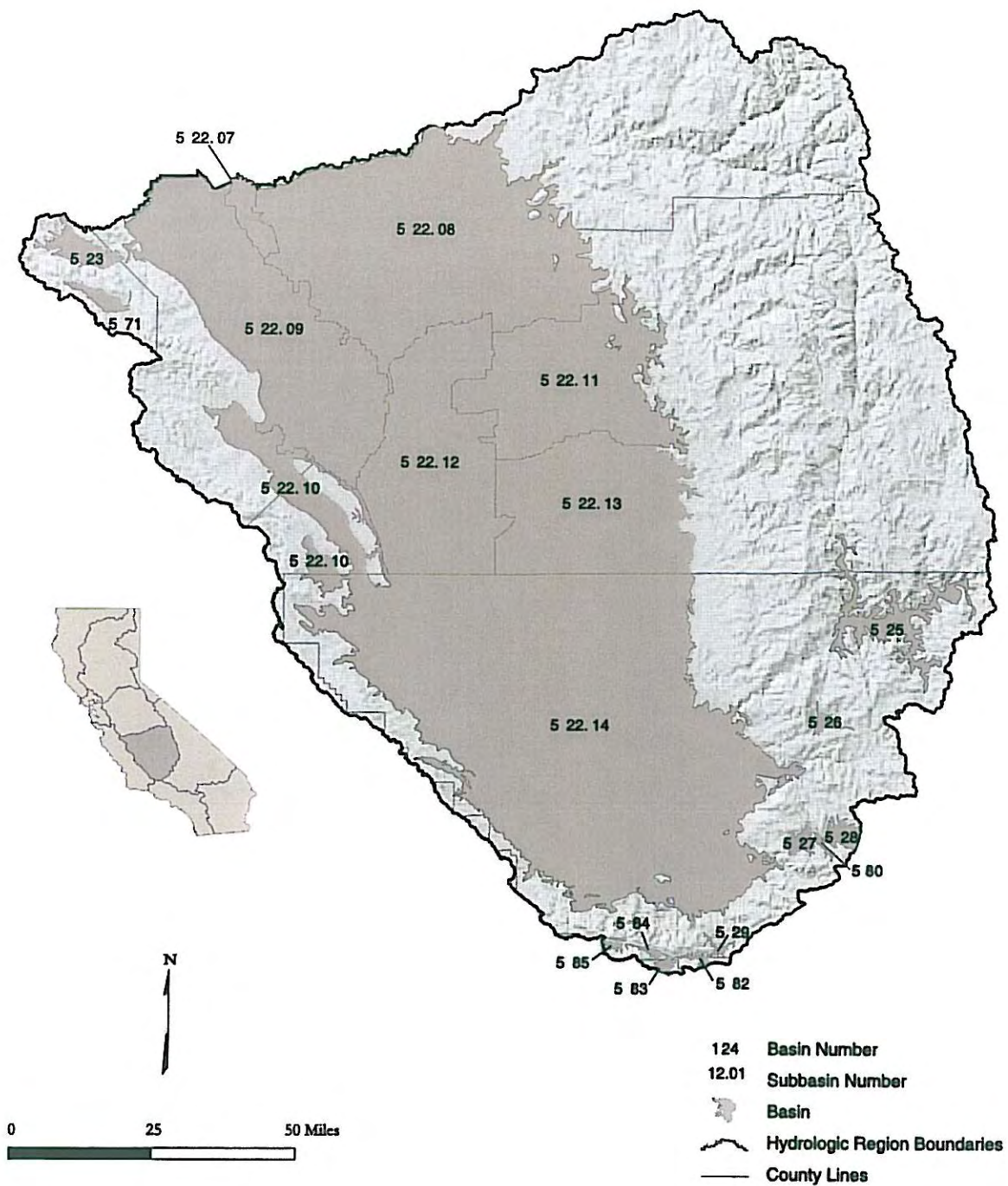


Figure 37 Tulare Lake Hydrologic Region

## Basins and Subbasins of Tulare Lake Hydrologic Region

Basin/subbasin	Basin name
5-22	San Joaquin Valley
5-22.08	Kings
5-22.09	Westside
5-22.10	Pleasant Valley
5-22.11	Kaweah
5-22.12	Tulare Lake
5-22.13	Tule
5-22.14	Kern County
5-23	Panoche Valley
5-25	Kern River Valley
5-26	Walker Basin Creek Valley
5-27	Cummings Valley
5-28	Tehachapi Valley West
5-29	Castaic Lake Valley
5-71	Vallecitos Creek Valley
5-80	Brite Valley
5-82	Cuddy Canyon Valley
5-83	Cuddy Ranch Area
5-84	Cuddy Valley
5-85	Mil Potrero Area

## Description of the Region

The Tulare Lake HR covers approximately 10.9 million acres (17,000 square miles) and includes all of Kings and Tulare counties and most of Fresno and Kern counties (Figure 37). The region corresponds to approximately the southern one-third of RWQCB 5. Significant geographic features include the southern half of the San Joaquin Valley, the Temblor Range to the west, the Tehachapi Mountains to the south, and the southern Sierra Nevada to the east. The region is home to more than 1.7 million people as of 1995 (DWR, 1998). Major population centers include Fresno, Bakersfield, and Visalia. The cities of Fresno and Visalia are entirely dependent on groundwater for their supply, with Fresno being the second largest city in the United States reliant solely on groundwater.

## Groundwater Development

The region has 12 distinct groundwater basins and 7 subbasins of the San Joaquin Valley Groundwater Basin, which crosses north into the San Joaquin River HR. These basins underlie approximately 5.33 million acres (8,330 square miles) or 49 percent of the entire HR area.

Groundwater has historically been important to both urban and agricultural uses, accounting for 41 percent of the region's total annual supply and 35 percent of all groundwater use in the State. Groundwater use in the region represents about 10 percent of the State's overall supply for agricultural and urban uses (DWR 1998).

The aquifers are generally quite thick in the San Joaquin Valley subbasins with groundwater wells commonly exceeding 1,000 feet in depth. The maximum thickness of freshwater-bearing deposits (4,400 feet) occurs at the southern end of the San Joaquin Valley. Typical well yields in the San Joaquin Valley range from 300 gpm to 2,000 gpm with yields of 4,000 gpm possible. The smaller basins in the mountains surrounding the San Joaquin Valley have thinner aquifers and generally lower well yields averaging less than 500 gpm.

The cities of Fresno, Bakersfield, and Visalia have groundwater recharge programs to ensure that groundwater will continue to be a viable water supply in the future. Extensive groundwater recharge programs are also in place in the south valley where water districts have recharged several million acre-feet for future use and transfer through water banking programs.

The extensive use of groundwater in the San Joaquin Valley has historically caused subsidence of the land surface primarily along the west side and south end of the valley.

### **Groundwater Quality**

In general, groundwater quality throughout the region is suitable for most urban and agricultural uses with only local impairments. The primary constituents of concern are high TDS, nitrate, arsenic, and organic compounds.

The areas of high TDS content are primarily along the west side of the San Joaquin Valley and in the trough of the valley. High TDS content of west-side water is due to recharge of stream flow originating from marine sediments in the Coast Range. High TDS content in the trough of the valley is the result of concentration of salts because of evaporation and poor drainage. In the central and west-side portions of the valley, where the Corcoran Clay confining layer exists, water quality is generally better beneath the clay than above it. Nitrates may occur naturally or as a result of disposal of human and animal waste products and fertilizer. Areas of high nitrate concentrations are known to exist near the town of Shafter and other isolated areas in the San Joaquin Valley. High levels of arsenic occur locally and appear to be associated with lakebed areas. Elevated arsenic levels have been reported in the Tulare Lake, Kern Lake and Buena Vista Lake bed areas. Organic contaminants can be broken into two categories, agricultural and industrial. Agricultural pesticides and herbicides have been detected throughout the valley, but primarily along the east side where soil permeability is higher and depth to groundwater is shallower. The most notable agricultural contaminant is DBCP, a now-banned soil fumigant and known carcinogen once used extensively on grapes. Industrial organic contaminants include TCE, DCE, and other solvents. They are found in groundwater near airports, industrial areas, and landfills.

### ***Water Quality in Public Supply Wells***

From 1994 through 2000, 1,476 public supply water wells were sampled in 14 of the 19 groundwater basins and subbasins in the Tulare Lake HR. Evaluation of analyzed samples shows that 1,049 of the wells, or 71 percent, met the state primary MCLs for drinking water. Four-hundred-twenty-seven wells, or 29 percent, exceeded one or more MCL. Figure 38 shows the percentages of each contaminant group that exceeded MCLs in the 427 wells.

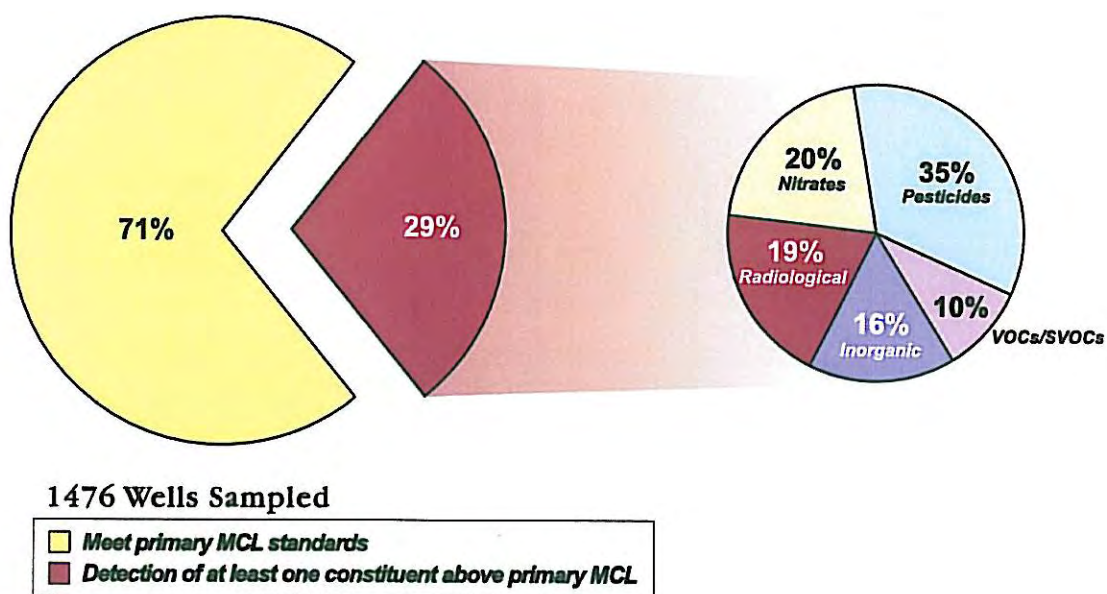


Figure 38 MCL exceedances by contaminant group in public supply wells in the Tulare Lake Hydrologic Region

Table 31 lists the three most frequently occurring contaminants in each of the six contaminant groups and shows the number of wells in the HR that exceeded the MCL for those contaminants.

Table 31 Most frequently occurring contaminants by contaminant group in the Tulare Lake Hydrologic Region

Contaminant group	Contaminant - # of wells	Contaminant - # of wells	Contaminant - # of wells
Inorganics - Primary	Fluoride – 32	Arsenic – 16	Aluminum – 13
Inorganics - Secondary	Iron – 155	Manganese – 82	TDS – 9
Radiological	Gross Alpha – 74	Uranium – 24	Radium 228 – 8
Nitrates	Nitrate(as NO <sub>3</sub> ) – 83	Nitrate + Nitrite – 14	Nitrite(as N) – 3
Pesticides	DBCP – 130	EDB – 24	Di(2-Ethylhexyl)phthalate – 7
VOCs/SVOCs	TCE – 17	PCE – 16	Benzene – 6 MTBE – 6

DBCP = Dibromochloropropane  
 EDB = Ethylenedibromide  
 TCE = Trichloroethylene  
 PCE = Tetrachloroethylene  
 VOC = Volatile organic compound  
 SVOC = Semivolatile organic compound

### Changes from Bulletin 118-80

There are no newly defined basins since Bulletin 118-80. However, the subbasins of the San Joaquin Valley, which were delineated as part of the 118-80 update, are given their first numeric designation in this report (Table 32).

**Table 32 Modifications since Bulletin 118-80 of groundwater basins and subbasins in Tulare Lake Hydrologic Region**

Subbasin name	New number	Old number
Kings	5-22.08	5-22
Westside	5-22.09	5-22
Pleasant Valley	5-22.10	5-22
Kaweah	5-22.11	5-22
Tulare Lake	5-22.12	5-22
Tule	5-22.13	5-22
Kern County	5-22.14	5-22
Squaw Valley	deleted	5-24
Cedar Grove Area	deleted	5-72
Three Rivers Area	deleted	5-73
Springville Area	deleted	5-74
Templeton Mountain Area	deleted	5-75
Manache Meadow Area	deleted	5-76
Sacator Canyon Valley	deleted	5-77
Rockhouse Meadows Valley	deleted	5-78
Inns Valley	deleted	5-79
Bear Valley	deleted	5-81

Several basins have been deleted from the Bulletin 118-80 report. In Squaw Valley (5-24) all 118 wells are completed in hard rock. Cedar Grove Area (5-72) is a narrow river valley in Kings Canyon National Park with no wells. Three Rivers Area (5-73) has a thin alluvial terrace deposit but 128 of 130 wells are completed in hard rock. Springville Area (5-74) is this strip of alluvium adjacent to Tule River and all wells are completed in hard rock. Templeton Mountain Area (5-75), Manache Meadow Area (5-76), and Sacator Canyon Valley (5-77) are all at the crest of mountains with no wells. Rockhouse Meadows Valley (5-78) is in wilderness with no wells. Inns Valley (5-79) and Bear Valley (5-81) both have all wells completed in hard rock.

Table 33 Tulare Lake Hydrologic Region groundwater data

Basin/Subbasin	Basin Name	Area (acres)	Groundwater Budget Type	Well Yields (gpm)			Types of Monitoring			TDS (mg/L)	
				Maximum	Average	Levels	Quality	Title 22	Average	Range	
5-22	SAN JOAQUIN VALLEY										
5-22.08	KINGS	976,000	C	3,000	500-1,500	909	-	722	200-700	40-2000	
5-22.09	WESTSIDE	640,000	C	2,000	1,100	960	-	50	520	220-35,000	
5-22.10	PLEASANT VALLEY	146,000	B	3,300	-	151	-	2	1,500	1000-3000	
5-22.11	KAWEAH	446,000	B	2,500	1,000-2,000	568	-	270	189	35-580	
5-22.12	TULARE LAKE	524,000	B	3,000	300-1,000	241	-	86	200-600	200-40,000	
5-22.13	TULE	467,000	B	3,000	-	459	-	150	256	200-30,000	
5-22.14	KERN COUNTY	1,950,000	A	4,000	1,200-1,500	2,258	249	476	400-450	150-5000	
5-23	PANOCH VALLEY	33,100	C	-	-	48	-	-	1,300	394-3530	
5-25	KERN RIVER VALLEY	74,000	C	3,650	350	-	-	92	378	253-480	
5-26	WALKER BASIN CREEK VALLEY	7,670	C	650	-	-	-	1	-	-	
5-27	CUMMINGS VALLEY	10,000	A	150	56	51	-	15	344	-	
5-28	TEHACHAPI VALLEY WEST	14,800	A	1,500	454	64	-	19	315	280-365	
5-29	CASTAC LAKE VALLEY	3,600	C	400	375	-	-	3	583	570-605	
5-71	VALLECITOS CREEK VALLEY	15,100	C	-	-	-	-	0	-	-	
5-80	BRITE VALLEY	3,170	A	500	50	-	-	-	-	-	
5-82	CUDDY CANYON VALLEY	3,300	C	500	400	-	-	3	693	695	
5-83	CUDDY RANCH AREA	4,200	C	300	180	-	-	4	550	480-645	
5-84	CUDDY VALLEY	3,500	A	160	135	3	-	3	407	325-645	
5-85	MIL POTRERO AREA	2,300	C	3,200	240	7	-	7	460	372-657	

gpm - gallons per minute

mg/L - milligram per liter

TDS -total dissolved solids

## **APPENDIX D**

### **BASIN MANAGEMENT OBJECTIVES SUMMARY TABLE**

# DCTRA GROUNDWATER MANAGEMENT PLAN UPDATE

## SUMMARY OF EXISTING OBJECTIVES AND STRATEGIES

OBJECTIVE:	ASSOCIATED PLAN COMPONENTS REQ'D:	STRATEGY/GOAL:	NOTES/STATUS:	PRIORITY:
GROUNDWATER RESOURCE PROTECTION	Saline Water Intrusion	<i>No Strategy, DCTRA Basin 90 miles from Pacific Ocean</i>	<i>n/a</i>	<i>n/a</i>
	Wellhead/Recharge Area Protection	Monitor New Development of Wells/Recharge within Basin	Collect data from County that is readily available, work with other regulatory agencies to monitor effectiveness	LOW
		Participate in Land Use/Zoning Procedures		LOW
		Incorporate Security Measures around Recharge Areas	Not Needed at this time	LOW
	Migration of Contaminated Groundwater	Monitor regulatory activities and available records	Locate existing Data available through Cities and Agencies, begin to compile and organize	MEDIUM
		Create Database with Existing Groundwater Quality Data (Cities, PUD, Dairies)		MEDIUM
	Well Abandonment and Construction Policies	Establish Protocol with Tulare County to review abandonment/construction records	Include Existing Rules and Regs in Report	LOW
		Create a Database of abandoned wells	Collect data from County that is easily located, have County continue to regulate and manage	LOW
		Establish Public Outreach	Use email blast outreach approach	LOW
		Convert abandoned wells to monitoring wells	May need in future, but focusing on reporting and data collection for now	LOW
GROUNDWATER SUSTAINABILITY	Overdraft Mitigation	(included within other Basin Plan Components)	n/a	n/a
	Groundwater Recharge Management	Expand the Network of Recharge Basins	Maintain Project Catalog List for each District	MEDIUM
		Expand the Network of Surface Water Deliveries		MEDIUM
		Pursue Additional Surface Water supplies for groundwater recharge purposes	Need to complete reports first to quantify on a DCTRA level additional water supply needed	LOW
	Groundwater Extraction Management	(included within other Basin Plan Components)	n/a	n/a
GROUNDWATER RESOURCE UNDERSTANDING	Operation of Facilities	Upgrade and Expand existing canals and recharge basins	Create Project Catalog	MEDIUM
	Groundwater Monitoring	Monitor Groundwater Levels Semi-Annually (February and October)	Continue Monitoring per Semi-annual schedule	MEDIUM
		Monitor Groundwater Quality	Use existing data available before doing adding groundwater monitoring	LOW
		Identify additional wells for monitoring	Focus on reporting existing well data	LOW
GROUNDWATER BASIN UNDERSTANDING	Land Subsidence Monitoring	Establish a Survey Control Network for basis of land subsidence	Hold until overdraft is quantified better based on existing and new monitoring data	LOW
		Periodically re-survey to calculate land subsidence		LOW
	Land Use Planning	Participate in local land use planning efforts	Provide letters annually to DCTRA database	LOW
		Provide comments to CEQA projects as the responsible agency	Districts respond individually, copy DCTRA on response	LOW
		Monitor changes in land use throughout the basin, Estimate total Water Demand in Basin per year	Use estimated demands based on land use of basin to determine overall basin deman	HIGH
	Surface Water Management	Increase quantities of imported surface water from the CVP	Continue to transfer and prepare agreements to increase available water in basin	MEDIUM
		Preserve Existing Surface Water Rights	Not a major focus at this time, other agencies are monitoring this for the member participants	LOW
		Investigate Potential Water Banking Opportunities	Project currently in progress	MEDIUM
		Develop additional water storage capacity with the DCTRA Basin	Projects currently in progress	MEDIUM
		Quantify Surface Water within DCTRA Basin on a yearly basis	Included within Annual Reports	HIGH
		Monitor Surface Water Quality and create a database which includes regulatory reports completed by other agency	Use Data from ILRP Surface Water Program, summarize in report	LOW
INFORMATION DISSEMINATION	Groundwater Basin and Resource Information Management	Establish Data Management Authority and Responsibilities	For now, use 4Creeks as clearing house, possibility of hiring project manager internally by DCTRA	MEDIUM
		Develop Inventory and Data Collection Protocols	Focus on organizing data available	LOW
		Conduct Periodic Audit of Groundwater Data		LOW
	Groundwater Basin and Resource Reports	Annual Report, including maps, tables, hydrologic summary, and historical summary of DCTRA Basin activities	Complete 2011 Annual Report	HIGH
	Local Agency and Stakeholder Involvement	Encourage Stakeholders within the DCTRA Basin to become Participants	Potential Discussions with DEID, review GW Plan	LOW
		Advisory Committee to review Plan and Annual Reports	Review Update and Annual Report April 2011	HIGH
		Encourage Public Participation and Outreach	Create Email distribution list for Email updates	MEDIUM

# **APPENDIX E**

## **DCTRA MEMORANDUM OF UNDERSTANDING**

**MEMORANDUM OF UNDERSTANDING BETWEEN  
DEER CREEK AND TULE RIVER AUTHORITY  
AND \_\_\_\_\_**

**ARTICLE 1 - AGREEMENT**

The articles and provisions contained herein constitute a bilateral and binding agreement by and between DEER CREEK AND TULE RIVER AUTHORITY (hereinafter the "Authority") and \_\_\_\_\_ (hereinafter "Agency").

**ARTICLE II - RECOGNITION**

The Authority has developed a Groundwater Management Plan (hereinafter the "Plan") with input from several local agencies located within the Authority boundaries. It is the intent of Authority to allow and encourage such agencies to coordinate efforts and be a part of the Authority's Plan by means of a separate Memorandum of Understanding (hereinafter the "MOU") between each agency and Authority.

**ARTICLE III - PURPOSE**

It is the purpose of the MOU, entered into willingly between Authority and Agency, to document the interests and responsibilities of both parties in the adoption and implementation of the Plan. It is also hoped that such MOU will promote and provide a means to establish an orderly process to share information, develop a course of action and resolve any misunderstandings or differences that may arise regarding the Plan.

**ARTICLE IV - COORDINATE**

There shall be an annual coordinating meeting (hereinafter the "Meeting") between the Authority and the Agency. Authority shall give notice to the Agency thirty (30) days prior to date of the Meeting to discuss the manner in which the Plan is being implemented and other items related to the Plan. If there are concerns or questions, regarding the Plan, Agency shall transmit its concerns in writing to Authority seven (7) days prior to the Meeting.

**ARTICLE V - OBLIGATIONS**

The Plan shall be binding on the parties hereto unless superseded by the MOU or amendment thereto.

**ARTICLE VI - AREA OF PLAN**

The Plan shall be effective in all areas within the Agency boundaries. The Plan shall also be effective in any area annexed to the Agency subsequent to the adoption of the Plan.

**ARTICLE VII - TERM**

The initial term of the MOU shall commence on the date hereof and continue for five (5) years, and shall continue year to year thereafter, unless terminated by written notice given at least one (1) year prior to such termination.

This Memorandum of Understanding is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**DEER CREEK AND  
TULE RIVER AUTHORITY**

\_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

# **APPENDIX F**

## **ALTERNATIVE DISPUTE RESOLUTION POLICY**

## **ALTERNATIVE DISPUTE RESOLUTION POLICY DEER CREEK AND TULE RIVER AUTHORITY**

**Purpose.** The Authority recognizes that defending or prosecuting lawsuits can be expensive and time-consuming, resulting in a drain on Authority resources that should be avoided, if reasonably possible. To that end, the Authority hereby implements this policy to encourage the resolution of disputes, claims and lawsuits through alternative dispute resolution procedures related to the adopted Groundwater Management Plan.

**Procedures.** Whenever the Authority is named in a lawsuit or receives a written claim or a serious threat of imminent litigation, the Authority staff shall immediately consult with the Authority General Counsel regarding the same. Together, the Authority staff and the Authority General Counsel shall formulate a recommended response to be considered by the Board of Directors at its next meeting.

Whenever the Authority becomes aware of any unasserted potential lawsuit, claim or dispute, with a reasonable likelihood of being asserted, against the Authority, the Authority staff shall consult with the Authority's counsel regarding the best method for responding to the same. Possible responses include, but are not limited to, the following:

1. Do nothing;
2. A verbal communication from the Authority or its general counsel;
3. A written communication from the Authority or its general counsel;
4. An offer to meet and discuss the matter with Authority personnel;
5. An offer to mediate the matter before a neutral third-party mediator;
6. An offer to arbitrate the matter before the American Arbitration Association;  
or
7. An offer to arbitrate the matter using the rules of Judicial Arbitration found in California statutes.

Authority staff shall advise the Board of Directors of any unasserted lawsuit, claim or dispute, with a reasonable likelihood of being asserted, including the Authority's response to the same. The Board of Directors shall be advised whether or not the matter is resolved. If the potential lawsuit, claim or dispute becomes an actual lawsuit, claim or dispute, the response of the Authority shall be handled as set forth above in the previous paragraphs.

It shall be the practice of the Authority to encourage mediation of lawsuits, claims or dispute, whenever reasonably practical, in order to resolve such matters. Mediation shall be by a neutral third-party qualified to mediate such matters.

**MINUTES OF A MEETING OF THE  
BOARD OF DIRECTORS OF THE DEER CREEK  
AND TULE RIVER AUTHORITY**

The members of the Board of Directors of the Deer Creek and Tule River Authority met in a regular session on the 21<sup>st</sup> of July, 2006 at 10:00 a.m. at the office of the Authority in Tipton, California. Attendance is listed in Exhibit "A".

The meeting was called to order by Chairman Lombardi.

**BOARD ADMINISTRATION**

Upon a motion by Director McCloskey, seconded by Director Sherwood and unanimously passed, the agenda was approved as presented.

Upon a motion by Director Sherwood, seconded by Director Simms and unanimously passed, the minutes of the regular session held May 19, 2006 were approved as mailed.

The Board was informed that the next regular board meeting is scheduled to be held Friday, September 15, 2006.

**WATER REPORT**

Advisory Committee member Hoffman reported that the Committee had discussed the water supply situation in detail in its meeting held earlier in the day. All member districts now have sufficient supply for the current irrigation season. The districts are in the process of finalizing water transfers intended to balance demands with supply for the remainder of the season.

The Board reviewed and discussed a letter written by Mr. Vink on behalf of LTRID commending USBR and Corps personnel for the manner in which they handled the winter and spring flood control operations.

**AUTHORITY OPERATIONS**

Board reviewed the financial reports for May 31 and June 30, 2006, including the bills paid. Director Simms moved that payment of the bills be approved and that the financial reports be accepted and placed on file. The motion was seconded by Director McCloskey and unanimously passed.

Manager Vink reminded the Board that the second of the semi-annual assessment levies for the Operating Fund is scheduled for July and recommended that the Board authorize levy of an assessment in the amount of \$8,000. Upon a motion by Director Simms, seconded by Director McCloskey and unanimously passed, an assessment in the amount of \$8,000 was levied to fund the Authority's Operating Fund.

## **PROJECTS**

Terra Bella Basins – The Board was informed that flows to the Terra Bella Basins are continuing, now on an intermittent basis due to capacity limitations for flow in the Friant-Kern Canal.

Cross-Valley Canal Contract Renewal – Manager Vink reported that renewal of the Cross-Valley Canal contracts remains stalled due to the ongoing consultation process with Fish & Wildlife. It is now apparent the contractors will again need to negotiate and execute interim contracts while work continues on renewal of the long-term contracts.

Clarksfield Agreement – Manager Vink reported that the State Water Resources Control Board has dismissed all but one of the filings objecting to the expansion of the CVP place of use that would allow deliveries under the Clarksfield agreement. The remaining protest by the Department of Fish and Game. It is expected that it may take a couple more years to work through the process of satisfying DF&G's concerns.

Groundwater Management Plan – Advisory Committee member Hoffman reviewed the history of the Authority's Groundwater Management Plan. Advisory Committee member Geivet reported on recent work by consulting engineer Dennis Keller to develop an amended plan to conform with current requirements of the law. The Board was also informed of future activities that would be conducted under an amended Plan.

Public Hearing – At 11:00 a.m. Chairman Lombardi opened the scheduled public hearing to receive comment on the proposed amended Groundwater Management Plan. There being no comment offered on the plan by members of the public, the hearing was

closed at 11:05 a.m.

Subsequent to the close of the public hearing, Director Simms moved adoption of Resolution 06-07-1 adopting the amended Groundwater Management Plan. The motion was seconded by Director Sherwood and unanimously passed.

### **OTHER AUTHORITY INTERESTS**

Legislation - The Committee discussed SB1640, a bill by Sheila Kuehl. The bill's primary focus is urban water management, though it also addresses the management and monitoring of groundwater within the State. It was reported that Friant Water Authority is taking an oppose position. The Advisory Committee had discussed the bill and had determined that more detailed information was required in order to develop a position on the proposed legislation.

Sub-Basin Water Quality Monitoring Plan - The Board was informed that the State Board had recently extended the Agricultural Discharge Waiver for a period of five years with certain amendments to the resolution, including the requirement that coalition membership be submitted in list form by September 20. It was also reported that the Executive Officer, Pam Creedon had informed the Southern San Joaquin Water Quality Coalition that representation of landholders by public districts, without affirmative sign-up by the individual, would not be accepted.

Manager Vink reported that Lower Tule River ID's board of directors had discussed the issue of coalition participation earlier in the week and that it was the consensus of the board that the District should not expend further time and money participating in programs designed to provide coverage under the waiver to individual landholders. Mr. Geivet stated that Terra Bella ID would be willing to spearhead a smaller coalition that would provide coverage to interested landholders in the area of TBID. Such an effort would provide the opportunity to gauge interest on the part of the landholders in coalition coverage and the viability of the coalition process in southern Tulare County. The Board discussed the logistics of providing coverage to a portion of the Tule River sub-watershed. Mr. Hoffman suggested that, if the entities currently involved in the sub-watershed are willing to carry out the water quality sampling that

would be necessary through the winter storm runoff period at all of the sub-watershed's currently identified sampling sites, a coalition could be established with the ability to offer coverage to all lands, regardless of individual district participation in the landholder sign-up effort. Mr. Geivet committed to developing a cost analysis of the water quality sampling program for consideration by the current sub-watershed participant agencies. The Board discussed administering a sign-up effort through a DCTRA project agreement. Upon a motion by Director McCloskey, seconded by Director Wheaton and unanimously passed, with Director Simms abstaining, the Board authorized staff to set up a special project under the Authority for the purpose of coalition sign-up, contingent on agreement by the sub-watershed participant entities to fund the sampling and reporting program.

#### **ADJOURNMENT**

There being no further business to come before the Board the meeting was adjourned.



David L. Hoffman,  
Secretary

## ATTENDANCE LIST

### BOARD OF DIRECTORS OF THE DEER CREEK & TULE RIVER AUTHORITY

MEETING DATE: July 21, 2006

MEMBER DISTRICT	BOARD MEMBER
LOWER TULE RIVER I.D.	Gary Fernandes
PIXLEY I.D.	
PORTERVILLE I.D.	Guido Lombardi
SAUCELITO I.D.	Robert McCloskey
STONE CORRAL I.D.	George Simms
TEA POT DOME W.D.	David Sherwood
TERRA BELLA I.D.	
MEMBER DISTRICT	ALTERNATES
LOWER TULE RIVER I.D.	Don McMillan
PIXLEY I.D.	Dan Vink
PORTERVILLE I.D.	David Hoffman
SAUCELITO I.D.	David Hoffman
STONE CORRAL I.D.	Tom Runyon
TEA POT DOME W.D.	Keith Norris
TERRA BELLA I.D.	Lorren Wheaton
MEMBER DISTRICT	ADVISORY COMMITTEE MEMBER
LOWER TULE RIVER I.D.	Dan Vink
PIXLEY I.D.	Dan Vink
PORTERVILLE I.D.	David Hoffman
SAUCELITO I.D.	David Hoffman
STONE CORRAL I.D.	Dale West
TEA POT DOME W.D.	Keith Norris
TERRA BELLA I.D.	Sean Geivet
	OTHERS PRESENT
Steve Drumright	Vandalia I.D.

Exhibit "A"

RESOLUTION NUMBER 06-07-1  
OF THE  
BOARD OF DIRECTORS  
OF THE DEER CREEK AND TULE RIVER AUTHORITY

WHEREAS, notice was duly given, pursuant to California Government Code Section 6066, that the Deer Creek and Tule River Authority (hereinafter "Authority") would hold a public hearing on whether to adopt an amended groundwater plan for the principal purpose of conforming its existing groundwater management plan to recent changes in State law governing such plans;

WHEREAS, on July 21, 2006, a public hearing was held during a regular meeting of the Board of Directors of the Authority, during which members of the public were allowed to comment on whether the Authority should adopt a resolution adopting an amended groundwater management plan; and

WHEREAS, after the aforementioned public hearing, the Board of Directors of the Authority discussed whether it would be in the best interests of the Authority to proceed to adopt such an amended groundwater management plan.

NOW, THEREFORE, upon the motion made by Director Simms, seconded by Director Sherwood, and unanimously carried:


IT IS HEREBY RESOLVED, that the Authority, pursuant to California Water Code Sections 10750 et seq., does hereby adopt an amended groundwater management plan allowing for conformance with recent changes to said code sections and other applicable laws.

## CERTIFICATE OF RESOLUTION

I, David L. Hoffman, hereby certify as follows:

1. That I am the Secretary of the Deer Creek and Tule River Authority; and
2. That the foregoing resolution, consisting of two pages, including this page, is a true and correct copy of a resolution of the Board of Directors of the Authority passed at the meeting of the Board of Directors held on July 21, 2006, at the Authority's principal office, located at 357 East Olive Avenue, Tipton, California 93272.

IN WITNESS WHEREOF, I have signed this certificate this 21st day of July, 2006, at the Authority's principal office.

  
Secretary

# GROUNDWATER MANAGEMENT PLAN

## DEER CREEK AND TULE RIVER AUTHORITY

JULY 2006



DENNIS R. KELLER / JAMES H. WEGLEY  
CONSULTING CIVIL ENGINEERS

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SECTION 1

PURPOSE

GROUNDWATER MANAGEMENT PLAN

DEER CREEK AND TULE RIVER AUTHORITY

SECTION 1  
PURPOSE  
GROUNDWATER MANAGEMENT PLAN  
DEER CREEK AND TULE RIVER AUTHORITY

PLAN OBJECTIVE

The members of the Deer Creek and Tule River Authority (Authority) desire to formalize their existing groundwater management practices for the continuance of local management and to enhance existing monitoring activities in a coordinated manner. Through this Groundwater Management Plan (Plan) the Authority will identify and implement modifications to ongoing practices in order to preserve and enhance groundwater resources. The Authority will organize existing and expanded groundwater management activities to facilitate the implementation of the Plan.

Preservation and enhancement of the groundwater resource is vital to sustaining the local economics which have been built up in reliance, in whole or in part, on this resource. The Authority's objective is to preserve the utility of the groundwater resource, both in terms of quantity and quality at the least possible cost. Enhancement or augmentation of the resource is necessary to mitigate the present level of overdraft and the attendant long-term decline in groundwater levels in the overall groundwater basin. The Plan objectives can be accomplished, at least cost, by joint implementation of the Plan through the Authority as opposed to individual implementation by the Authority members.

AUTHORITY

The Authority is organizing current and proposed groundwater management activities

under provision of Part 2.75 of Division 6 of the California Water Code commencing with Section 10750, otherwise known as AB3030, the Groundwater Management Act of 1992. The 1992 Act was amended in 2002 and 2004 to describe specific requirements for the Plan.

For the purpose of groundwater management, powers granted to an entity which adopts a Plan include the powers of a water replenishment district (Part 4, Division 18, California Water Code), to the extent not already possessed by the entity, but not limited to the following:

1. Acquire and operate facilities, waters and rights needed to replenish the groundwater supplies;
2. Store water in groundwater basins, acquire water rights, import water into the Authority and conserve water;
- 3.. Participate in legal proceedings as required to protect and defend water rights and water supplies and to prevent unlawful exportation of water from the Authority.
4. Under certain conditions to exercise the right of eminent domain;
5. Act jointly with other entities in order to economically perform required activities;
6. Carry out investigations required to implement the Plan;
7. Fix rates for water for replenishment purposes; and
8. Fix the terms and conditions of contracts for use of surface water in-lieu of groundwater.

## PLAN ELEMENTS

Part 2.75, Groundwater Management, of the Water Code establishes required (§10753.7) and recommended (§10753.8) elements of a groundwater management plan. Bulletin 118 prepared by the Department of Water Resources (DWR) also provides recommendations for groundwater management plans.

The Authority's Plan has been prepared to address the requirements and recommendations for groundwater management plans. Table 1-1 summarizes these elements and their respective location within the Authority's Plan.

TABLE 1-1  
PLAN SUMMARY  
GROUNDWATER MANAGEMENT PLAN  
DEER CREEK AND TULE RIVER AUTHORITY

SECTION REFERENCE	SUBJECT	PLAN LOCATION
REQUIRED PLAN ELEMENTS (Water Code §10753.7 (a))		
(1)	Basin management objectives	Section 4
(1)	Monitoring and Management: <ul style="list-style-type: none"> <li>– groundwater levels</li> <li>– groundwater quality</li> <li>– land surface subsidence</li> <li>– changes of surface water flow and quality</li> </ul>	Section 5, Section 6 Section 5, Section 6 Section 5, Section 6 Section 5, Section 6
(2)	Plan to involve other agencies	Section 2, Section 5, Section 7
(3)	Map of groundwater basin and local agencies	Section 2
(4)	Monitoring protocols	Section 6
RECOMMENDED PLAN ELEMENTS (Water Code §10753.8)		
a.	Saline Water Intrusion	Section 5
b.	Wellhead Protection (Recharge Areas)	Section 5
c.	Migration of Contaminated Water	Section 5
d.	Well Abandonment/Destruction	Section 5
e.	Overdraft Mitigation	Section 5
f.	Groundwater Replenishment	Section 5
g.	Groundwater Extractions	Section 5
h.	Groundwater Monitoring	Section 5, Section 6
i.	Conjunctive Use	Section 5
j.	Well Construction Policies	Section 5
k.	Operation of Facilities	Section 5, Section 7
l.	Relationships with Other Agencies	Section 5
m.	Land Use Planning	Section 5

TABLE 1-1 (cont'd)  
PLAN SUMMARY  
GROUNDWATER MANAGEMENT PLAN  
DEER CREEK AND TULE RIVER AUTHORITY

ADDITIONAL PLAN ELEMENTS (DWR Bulletin 118, Appendix C) (1)		
(4)	Advisory Committee of Stakeholders	Section 7, Appendix A
(5)	Groundwater basin description: <ul style="list-style-type: none"><li>- physical features and characteristics</li><li>- historical data</li><li>- issues of concern</li><li>- historical and project water demands and supplies</li></ul>	Section 2
(8)	Existing and planned management actions	Section 5, Section 6
(10)	Monitoring program features: <ul style="list-style-type: none"><li>- map of monitoring sites</li><li>- type and frequency of monitoring</li></ul>	Section 6
(12)	Groundwater Management Reports	Section 7
(13)	Plan re-evaluation	Section 7

Note: (1) DWR Bulletin 118, Appendix C outlines 14 required and recommended components for groundwater management plans. Required elements have been documented.

PLAN CONTACT INFORMATION

Questions or requests for additional information regarding the Authority's Plan should be directed to the Program Manager at the following address:

Deer Creek and Tule River Authority  
357 East Olive Ave.  
Tipton, CA 93272  
Phone: 559/686-4716      FAX: 559/686-0151

Business Hours: 8:00 a.m. - 4:30 p.m.  
Monday through Friday

The Authority meets on the 3rd Friday of each odd-numbered month. Authority meetings are held at above address and are open to the public.